

SECTION 2 – SPECIAL TERMS AND CONDITIONS**2.1 PURPOSE**

The purpose of this Invitation to Bid is to establish a contract for the acquisition of bathtub refinishing, stripping and minor bathtub repair services for the Public Housing and Community Development Department (PHCD), on an as needed basis.

2.2 TERM: FIVE YEARS

The pre-qualification pool will begin on the first calendar day of the month succeeding approval by the Board of County Commissioners, or designee, unless otherwise stipulated in the Notice of Award Letter which is distributed by the County's Internal Services Department, Procurement Management Services Division, and contingent upon the completion and submittal of all required RFQ documents. The pre-qualification pool shall expire on the last day of the last month of the sixtieth month.

2.3 OPTION TO RENEW: FIVE YEARS

Prior to, or upon completion of, that initial term, the County shall have the option to renew this contract for one (1) additional five (5) year period. Bidders shall maintain the same terms, and conditions included within this solicitation for the entirety of the renewal period. Continuation of the contract beyond the initial period, and any option subsequently exercised, is a County prerogative, and not a right of the Bidder. This prerogative may be exercised only when such continuation is clearly in the best interest of the County.

2.4.1 METHOD OF AWARD: SINGLE LOWEST PRICED BIDDER IN THE AGGREGATE

Award of this contract will be made to the responsive, responsible Bidder who submits an offer on all items listed in the solicitation and whose offer represents the lowest price when all items are added in the aggregate. If a vendor fails to submit an offer on all items, its overall offer may be rejected. The County will award the total contract to a single Bidder.

2.4.1 Minimum Requirement:

Bidder must meet the minimum qualifications as stipulated herein. Failure to provide the required documentation as specified by the County will result in the Bidder not being considered for the pool.

Minimum Requirements:

- a. Bidder must have a minimum of one (1) year experience in refinishing of residential bathtubs. Commercial or government customer references shall be provided to confirm this experience. Bidder must provide verifiable references from customers that the Bidder has provided the required services. The experience must be within the three (3) years prior to bid submittal.

2.6 INSURANCE

Insurance requirements are included in Section 1, General Terms and Conditions, Paragraph 1.21, Insurance Requirements. Any change or addition in insurance requirements will be detailed in the spot market quotation.

2.7 MIAMI-DADE PUBLIC HOUSING AND COMMUNITY DEVELOPMENT (PHCD) EXEMPTION TO CERTAIN CLAUSES:

The pool to be established under this solicitation will be accessed by the Miami-Dade Public Housing and Community Development (PHCD). As a Federally-funded agency, certain clauses within this solicitation do not apply to that Department's allocation, as follows:

- Section 1, Paragraph 1.10 (Local Preferences);
- Section 1, Paragraph 1.27 (Office of the Inspector General);
- Section 1, Paragraph 1.35 (County User Access Program - UAP);
- Section 1, Paragraph 1.43 (Small Business Enterprise Measures); and
- Section 1, Paragraph 1.44 (Local Certified Service-Disable Veteran's).

2.8 COMPLIANCE WITH FEDERAL REGULATIONS DUE TO USE OF FEDERAL FUNDING

Since the goods, services, and/or equipment that will be acquired under this solicitation will be purchased, in part or in whole, with federal funding, it is hereby agreed and understood that Section 60-250.4, Section 60-250.5 and Section 60-741.4 of Title 41 of the United States Code, which addresses Affirmative Action requirements for disabled workers, is incorporated into this solicitation and resultant contract by reference.

2.9 PHCD SECTION 3 REQUIREMENTS

- a. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that the employment and other economic opportunities generated by HUD assistance of HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low and very low income persons, particularly persons who are recipients of HUD assistance for housing. (See attached Appendix B).
- b. The parties to this contract agree to comply with HUD's regulations in 24 CFR Part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the Part 135 regulations.
- c. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or worker's representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the

notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

- d. The contractor agrees to include this Section 3 clause in every subcontract subject to be in compliance with regulations in 24 CFR Part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR Part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 135.
- e. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed; and (2) with persons other than those to whom the regulations of 24 CFR Part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.
- f. Noncompliance with HUD's regulations in 24 CFR Part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.
- g. With respect to work performed in connection with Section 3 covered Indian housing assistance, Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises Parties to this contract that are subject to the provisions of Section 3 and Section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with Section 7(b).

SECTION 3 – TECHNICAL SPECIFICATIONS

3.1 SCOPE OF WORK

The primary mission of the Miami-Dade County's Public Housing and Community Development Department's (PHCD) Public Housing Program is to provide decent, safe, and sanitary housing to extremely low-income families, the elderly, and the disabled. PHCD owns and operates approximately 9,200 units of public housing located in conventional (single-family and multiple-Family) housing developments throughout Miami-Dade County.

In complying with the Public Housing Program, PHCD requires bathtub refinishing, stripping and minor bathtub repair work at various residential facilities Countywide.

3.2 SERVICES TO BE PROVIDED

The awarded Bidder shall provide the required services outlined below, which may be further detailed in the spot market quotation. PHCD's authorized representative shall generate and issue a Work Order for each project to be performed. The project work order shall include the location, description, if necessary, covering the scope of work to be completed. The project work order shall include the cost for the work listed on the project work order, based on spot market prices.

1. Completely remove all old caulking.
2. Clean bathtub with a soap film remover or industrial cleaner.
3. Etch or sand the bathtub.
4. Repair minor chips (smaller than a dime) with a manufacturer approved products.
5. Perform minor repairs to the surrounding tile (surface to be prepared in the same manner as the tub).
6. Lightly prime bathtub surface with an aerospace primer or approved equal.
7. Apply a polyurethane material (not an Epoxy) in 2 or 3 coats resulting in a shiny finish.
8. Provide a minimum two (2) year warranty.
9. Provide care instructions to PHCD.
10. Notify PHCD of all plumbing problems that must be corrected prior to completing bathtub glazing (resurfacing).
11. Based on the manufacturer's recommendations, caulking shall be completed the same day by the awarded Bidder and given a 48-hour curing time, unless otherwise recommended by PHCD project manager.
12. All work is to be performed Monday thru Friday from 8:00 am to 5:00 pm ONLY.

All bathtubs to be serviced are attached to tiled walls. PHCD does not have bathtubs with plastic surroundings.